

GOVERNMENT OF ANDHRA PRADESH  
A B S T R A C T

SUITS – Land Acquisition –PJP – GADWAL –Mahabubnagar District – Itikyal (Village)& (Mandal) – O.P.No.298/93 - Sanction of decretal charges of **Rs.4,09,128/-** Orders – Issued.

IRRIGATION& CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO.468

DATE:07.06.2008

Read:

From the Spl.CS to Govt & CCLA, AP, Hyd.Lr. No.SRP4/378/2008,  
Dt:17.04.08 alongwith the letter of Spl.Collector, SSP, Kurnool.

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O R D E R:

The Special Chief Secretary to Government and Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has informed that the Special Collector, SSP, Kurnool has submitted the proposals for sanction of final payment of decretal charges in respect of O.P.No.298/93 pertaining to Itikyal (V) & (M) of Mahabubnagar District. The then SDC, LA, PJP, Gadwal has acquired the dry lands in Sy.No.218/2 etc, for an extent of Ac.2.33 gts of Itikyal (V) and (M) by fixing the market value @Rs.12,000/- per acre through Award No.16/93, dt:29.03. 93, for Right main canal of PJP. Aggrieved with the market value Awarded by the LAO, the awardees have filed petitions u/s 18(1) of L.A.Act with a request to refer the matter to the Lower Court for adjudication. The Senior Civil Judge, Gadwal had delivered judgments by enhancing the market value from Rs.12,000/- to Rs.43,500/- per acre. As per the opinion of the Asst.Govt.Pleader, Gadwal, the SDC, Gadwal has submitted the appeal material to the G.P for Appeals, High Court of A.P, Hyderabad for filing of appeal before the Hon'ble High Court of A.P, Hyderabad. The G.P for Appeals, H.C of A.P, Hyd has opined that these are not fit cases to prefer further appeal to the Hon'ble High Court and advised to comply with the judgment passed by the reference court immediately without any further delay so as to avoid payment of exorbitant rate of interest and returned the appeal material.

2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.4,09,128/- (Rupees four lakhs nine thousand one hundred and twenty eight only)** in respect of O.P.No.298/93 pertaining to Itikyal (V)&(M) of Mahabubnagar District subject to verification whether the reference under section 18 (1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Sec.18 reference was made contrary to the rules/guidelines issued by the Govt/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The Special Collector, SSP, Kurnool is directed to follow the directions issued by the Hon'ble High Court on 30.04.2007 in W.P.No.2181 of 2005 in disbursement of the above sanctioned decretal charges to the rightful claimants in OP No.298/93 for avoiding intervention of the middlemen.

4) The expenditure sanctioned in para (2) above shall be debitable to following Head of Account under "4701-SMJH -01-Major Irrigation - M.H.122 Jurala Project G.H.11 - NSP- SH (27) - Canals & Distibutaries - 530 Major Works - 532 Lands (charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

5) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.2432/F2(2)/2008-1, dated 26.05.2008.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS  
SECRETARY TO GOVERNMENT

To

The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.

The Special Collector, LA, SSP, Kurnool

The Engineer-in-Chief, I&CAD, Erramanzil, Hyderabad.

The SDC, LA, PJP, Gadwal, Mahabubnagar.

The Director of Works Accounts, Hyderabad.

Copy to: P.S. to Minister (M& MI).

Finance (W&P) Department/File C.No.12744/LA-III(A2)/2008.

SF/SCs

//FORWARDED::BY ORDER//

SECTION OFFICER